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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
DONALD J. KANNENBERG,)
)
vs) No. 10-0031
)
COMMONWEALTH EDISON COMPANY)
)
Complaint as to billing/charges)
In Arlington Heights, Illinois.)

Chicago, Illinois
May 26, 2010

Met pursuant to notice at 10:00 a.m.

BEFORE:

MS. LESLIE HAYNES, Administrative Law Judge.

1 APPEARANCES:

2 MR. DONALD J. KANNENBERG
3 4019 Bonhill Drive, Apartment 2-D
4 Arlington Heights, Illinois 60004
5 Appearing pro se;

6 MR MARK L. GOLDSTEIN
7 3019 Province Circle
8 Mundelein, Illinois 60060
9 Appearing for Commonwealth Edison Company.

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21 SULLIVAN REPORTING COMPANY, by

22 Tracy L. Overocker, CSR

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
None.					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
None	so marked.	

1 JUDGE HAYNES: Pursuant to the direction of the
2 Illinois Commerce Commission, I now call Complaint
3 10-0031. This is the complaint of Donald J.
4 Kannenberg versus Commonwealth Edison.

5 May I have your names and addresses
6 for the record, please.

7 MR. DONALD KANNENBERG: Donald Kannenberg, 4109
8 Bonhill Drive, Apartment 2-D, Arlington Heights,
9 Illinois 60004.

10 MR. GOLDSTEIN: On behalf of Commonwealth
11 Edison Company, Mark L. Goldstein, 3019 Provence
12 Circle, Mundelein, Illinois 60060. My telephone
13 number is (847) 949-1340. I have with me today
14 Monica Moreno of ComEd.

15 JUDGE HAYNES: Okay. I'm sorry, I don't really
16 remember. I think the parties were going to talk
17 about settling and then you wanted to have some time
18 to look at how the bills changed for the next couple
19 months.

20 Mr. Kannenberg, do you want to --
21 what's going on here or, Mr. Goldstein, somebody,
22 bring me up to date.

1 MR. GOLDSTEIN: You want to let Miss Moreno
2 speak --

3 MS. MORENO: Okay. Well, so, we gave it a few
4 months to look at the reads on the accounts and we
5 did that and it looks -- it all looks pretty good.
6 They're progressive --

7 MR. GOLDSTEIN: Actual readings.

8 MS. MORENO: One of them was a forced estimate,
9 but everything -- it was actual reads except for one
10 and the reads are progressive and we also went out
11 there and did a meter test to check for foreign load
12 and the meter test came back accurate and also there
13 was no foreign load on the meter.

14 At this point, Mr. Kannenberg right
15 now has an outstanding balance of \$915.29 and the
16 account opened in November of 2009 and there has not
17 been one payment made by Mr. Kannenberg. I mean,
18 there was a LIHEAP payment on April 28 of 2010, but
19 that's it.

20 JUDGE HAYNES: Mr. Kannenberg, did you have
21 anything to add to what she said here?

22 MR. DONALD KANNENBERG: Well, I just think when

1 the guy came out to do the foreign load test, he even
2 said after the 10-year rate freeze ended, it seems
3 like the only people making money are ComEd and the
4 gas companies, everything else is skyrocketing
5 through the roof and, you know, ever since it ended,
6 you know, their pricing -- ComEd's pricing almost
7 quadrupled. He even said it's ridiculous.

8 What I can't understand is last
9 summer, I lived up at a campground in Fish Lake Beach
10 in Volo, Illinois, through the entire summer. My air
11 conditioning was cranking, the hot water heater was
12 on, my electric bill did not even exceed over \$200
13 for a 6-month period and that guy said, too, that
14 they do service -- ComEd does service Fish Lake Beach
15 in Volo, Illinois, which is near Fox Lake.

16 So how can this apartment and -- same
17 as my camper which is a mobilehome, how do you get
18 that price difference? I mean, I just think it's
19 ridiculous that, you know, Oh, let's keep jacking up
20 prices and inflation of prices.

21 JUDGE HAYNES: Okay. So --

22 MR. DONALD KANNENBERG: You know, I don't

1 necessarily have a problem with -- you know, the
2 electric. I think it's the pricing since the rate
3 freeze ended that I have a problem with. I mean,
4 it's just outrageous.

5 JUDGE HAYNES: Okay.

6 MR. GOLDSTEIN: Do you want me to comment about
7 that, Judge?

8 JUDGE HAYNES: If you have a comment, go ahead.

9 MR. GOLDSTEIN: Well, the rates are set by the
10 Commission and once the rates are set and finalized,
11 Mr. Kannenberg, they're deemed reasonable rates
12 whether the public believes that or not. That's just
13 the way it is and that's what it is under the law
14 and -- so we can't do anything about the rates that
15 you are being charged. And, perhaps, part of your
16 problem here is that you have electric space heat and
17 maybe that's the reason you have some higher bills.
18 But the bottom line of it all is, if the meter is
19 recording accurately and there is no foreign load on
20 the meter and the readings are, as Miss Moreno said,
21 mostly actual reads and progressive reads, I don't
22 know what else to say about where we can go with

1 this, Judge.

2 MR. DONALD KANNENBERG: Explain how I got --
3 the last bill, you know, without looking, I believe
4 it was around 63 bucks and now that it's summertime,
5 we're up at our camper Thursday night, Friday night,
6 Saturday night and come home late Sunday. So we're
7 only in the apartment for three days out of, you
8 know, just say a 30-day period, 12 days and 63 bucks.
9 And my sister lives in Hanover Park, same exact
10 setup. Her electric bills are under 20 bucks a
11 month. So something is, you know, going on where --
12 and she's home all the time running the air
13 conditioning for her dog.

14 JUDGE HAYNES: But space -- I mean, if you have
15 electric space heat --

16 MR. DONALD KANNENBERG: And space heat has not
17 been on since March, I'd say, and the bills, to me,
18 are still outrageous.

19 JUDGE HAYNES: Okay. So where do you want to
20 go with this? Do you want to continue to a hearing
21 here?

22 MR. DONALD KANNENBERG: Yes, I would.

1 MR. GOLDSTEIN: Well, the only thing we can do
2 for him, Judge, obviously is offer him a deferred
3 payment arrangement and -- give me one moment -- and
4 the late payment charges would be whatever the
5 current bill is less all of the late payment charges
6 that have been assessed to Mr. Kannenberg's account,
7 but that's about the best we can do.

8 JUDGE HAYNES: You mean in terms of settling
9 this?

10 MR. GOLDSTEIN: Yes.

11 JUDGE HAYNES: Mr. Kannenberg, you do need to
12 make your current payments on your electric bill even
13 while this complaint is pending because you don't
14 have a time frame on your complaint; but if they're
15 not estimating your bill anymore and it's actual
16 reads --

17 MR. DONALD KANNENBERG: Well, the estimate, I
18 believe, when the guy came out, which I have on my
19 bill, was this last month was an actual read.
20 Everything else was an estimate because he had the
21 computer in his truck and he showed me. The -- May
22 18th, it was -- previous was 97.6 estimate.

1 MS. MORENO: That's actual. That was an actual
2 read.

3 MR. DONALD KANNENBERG: It's got "estimate" on
4 the bill, so it doesn't say "actual" right next to
5 it, it says, Meter reading present, so the May 18th
6 bill, to me, was an estimate. It says right on the
7 bill "estimate charge."

8 MS. MORENO: I also gave you the meter history
9 and it says it's an actual read because I sent the
10 folks out there to the scene. If you read your
11 meter --

12 MR. DONALD KANNENBERG: Now, this one, too,
13 97.26 estimate --

14 MS. MORENO: From an actual previous and this
15 one was the estimate and that one, that's what I told
16 the judge that was an estimate. The one that you
17 have there, those are two actual reads.

18 MR. DONALD KANNENBERG: This one?

19 MS. MORENO: Yes.

20 MR. DONALD KANNENBERG: These were basically
21 billed on October's bill. So when I had spoke to --

22 MS. MORENO: Let me show you how you see the

1 actual read.

2 MR. DONALD KANNENBERG: The one in May?

3 MS. MORENO: Mm-hmm.

4 JUDGE HAYNES: Should we go off the record?

5 MR. DONALD KANNENBERG: It shows estimate here.

6 MS. MORENO: That was the previous month, like

7 I just told the Judge. It was an estimate and the

8 read was actual. That's an actual read. That's how

9 you read your bill.

10 MR. DONALD KANNENBERG: Okay. Shouldn't it go

11 previous read, which is an actual present read, which

12 is an actual present read, which is an actual? I

13 mean, to me, it seems like -- even the guy said,

14 they're short on meter readers, so that's why all

15 these estimates are popping up.

16 MR. GOLDSTEIN: You know --

17 MR. DONALD KANNENBERG: I was upset that, first

18 of all, way back in the beginning, I was actually

19 charged for a month that I wasn't even a leaseholder

20 in the building.

21 JUDGE HAYNES: Okay. So the account was opened

22 November of '09?

1 MR. DONALD KANNENBERG: Yeah, I think it was
2 like November 3rd, I believe.

3 MR. GOLDSTEIN: Whatever.

4 JUDGE HAYNES: Okay.

5 MR. DONALD KANNENBERG: And then I was actually
6 charged October through November of a total of 500
7 kilowatts which came out to 159.23.

8 MS. MORENO WITNESS: And that was canceled,
9 adjusted for you before this hearing. You received a
10 credit of \$106.46.

11 MR. GOLDSTEIN: You know, the bottom line of it
12 all, Judge, is, that, in fact, Mr. Kannenberg has not
13 made a single actual payment on his electric bill for
14 seven months now and he's not willing to, you know,
15 make any deferred payment arrangement. I guess we
16 have to try it. I don't know what we're trying -- I
17 don't know what he can prove.

18 MR. DONALD KANNENBERG: Proving is --

19 MR. GOLDSTEIN: You can't prove anything.

20 MR. DONALD KANNENBERG: How can I not prove
21 anything? I have it in black and white right here on
22 the thing, estimate after estimate after estimate.

1 You know, the problem is is ComEd seems to be getting
2 rich off of the price inflation is what it is.

3 MR. GOLDSTEIN: I tried to explain to you,
4 Mr. Kannenberg, that --

5 MR. DONALD KANNENBERG: Who is it a reasonable
6 price by?

7 MR. GOLDSTEIN: The rate -- by the Illinois
8 Commerce Commission. They set the rates.

9 MR. DONALD KANNENBERG: Well, something is
10 wrong with that, too.

11 MR. GOLDSTEIN: ComEd requests certain rates,
12 the Commission approves certain rates and that's what
13 the rates are.

14 MR. DONALD KANNENBERG: Well, according to your
15 service guy that came out, the rates are ridiculous.

16 MR. GOLDSTEIN: Whether they're ridiculous or
17 not --

18 MR. DONALD KANNENBERG: That's what I'm
19 challenging. So...

20 JUDGE HAYNES: Okay. Mr. Kannenberg --

21 MR. GOLDSTEIN: You are in the wrong forum to
22 do that, I'm afraid.

1 MR. DONALD KANNENBERG: That's a matter of
2 opinion.

3 JUDGE HAYNES: -- if I understand you, you are
4 complaining that there's too many estimates and not
5 enough actual reads?

6 MR. DONALD KANNENBERG: Yeah.

7 JUDGE HAYNES: Okay. So you also were
8 complaining that from October to November of '09 you
9 were billed when you weren't living there?

10 MR. DONALD KANNENBERG: Yeah.

11 JUDGE HAYNES: Do you agree with -- I'm sorry,
12 I forgot your last name.

13 MS. MORENO: Ms. Moreno.

14 JUDGE HAYNES: -- Ms. Moreno that the credit
15 for 106.46 was for that month?

16 MR. DONALD KANNENBERG: The 106, it was, I
17 think -- I believe 159.23.

18 JUDGE HAYNES: Okay. So is that part of your
19 complaint that you've listed here?

20 MR. DONALD KANNENBERG: Yeah, that I was billed
21 for it and it basically took me approximately over a
22 month to try and figure out what was going on,

1 constant phone call, after phone call, taking time
2 out of my work to sit there and argue about it and --

3 JUDGE HAYNES: Mr. Kannenberg, have they
4 refunded you for that month where you weren't living
5 there?

6 MR. GOLDSTEIN: Credited.

7 JUDGE HAYNES: Or credited your account, I
8 should say.

9 MR. DONALD KANNENBERG: I believe so, yes,
10 after a series of disconnect/reconnect fees, which
11 they still can't explain how that happened.

12 MR. GOLDSTEIN: All the fees have been removed,
13 Judge.

14 JUDGE HAYNES: Okay. So what remains then of
15 your complaint is that you're unhappy with how many
16 estimates there are?

17 MR. DONALD KANNENBERG: Well, yes. Unhappy
18 with the estimates. Unhappy with the -- even
19 Miss Moreno said that they checked the apartment next
20 to me which she is -- she does not work, she has two
21 kids. I know for a fact the heat is blasting in the
22 winter and she even said so herself, there is a

1 significant difference in price-wise from the two
2 units. Now how can they explain that when,
3 basically, we're barely home and she is home all the
4 time with the kids and there's a significant
5 difference between the two units?

6 JUDGE HAYNES: Okay. Was there a meter -- you
7 said there was a meter test done on the meter?

8 MS. MORENO: Yes, just recently, your Honor.

9 MR. GOLDSTEIN: And a foreign load test, too.

10 MS. MORENO: Yes.

11 JUDGE HAYNES: So all these things, I guess,
12 would be presented at a hearing if Mr. Kannenberg
13 isn't willing -- I heard you made an offer,
14 Mr. Goldstein, but Mr. Kannenberg has a right to
15 present his case at a hearing. However,
16 Mr. Kannenberg, you need to pay your current bills.

17 MR. DONALD KANNENBERG: The problem is, how do
18 I know my current bill when it's listed on the bill
19 as an estimate? I'm just not saying, Oh, here's \$400
20 because of your estimate. It is not 100 percent.

21 JUDGE HAYNES: Okay. When was the last actual
22 read on this bill?

1 MS. MORENO: May 18th.

2 JUDGE HAYNES: And --

3 MR. DONALD KANNENBERG: According to the bill,
4 it was an estimate read.

5 MR. GOLDSTEIN: Judge, we've gone through this
6 already. This is --

7 MR. DONALD KANNENBERG: How am I reading the
8 bill incorrectly? It's right in front of me.
9 "Estimate." If it was an actual read, it should say
10 "actual." That's what I talked to --

11 MS. MORENO: Previous read and actual read --

12 MR. DONALD KANNENBERG: -- Fred Gold- -- Fred
13 Thornton (phonetic), I believe from Day 1.

14 JUDGE HAYNES: And so then there was an
15 estimate prior to that?

16 MS. MORENO: Yes.

17 JUDGE HAYNES: Which was dated what?

18 MS. MORENO: April 16th.

19 JUDGE HAYNES: April 16th.

20 MS. MORENO: March was a regular read.
21 February was a regular read. January was a regular
22 read.

1 JUDGE HAYNES: "Regular" meaning actual?
2 MS. MORENO: An actual read, yes, your Honor.
3 JUDGE HAYNES: Okay.
4 MS. MORENO: So from the last time that we met
5 here at a status hearing to today --
6 MR. DONALD KANNENBERG: So January was an
7 actual read?
8 MR. GOLDSTEIN: So the bottom line of it,
9 Judge --
10 MR. DONALD KANNENBERG: I have an estimate.
11 MR. GOLDSTEIN: -- that Mr. Kannenberg believes
12 that he doesn't have to pay anything for electric
13 service and I think that's --
14 JUDGE HAYNES: We don't know what Mr.
15 Kannenberg believes.
16 MR. DONALD KANNENBERG: Like I said, that's an
17 opinion.
18 MR. GOLDSTEIN: It's what you --
19 MR. DONALD KANNENBERG: And how do you
20 figure --
21 MR. GOLDSTEIN: -- it's --
22 MR. DONALD KANNENBERG: -- that it's --

1 MR. GOLDSTEIN: Would you let me finish?

2 MR. DONALD KANNENBERG: -- I don't have to.

3 JUDGE HAYNES: Okay. Both of you, stop.

4 Mr. Goldstein, Mr. Kannenberg, I don't

5 think we're going to reach a settlement here. And,

6 Mr. Kannenberg, the Company can disconnect you if you

7 don't stay current on the bills you are receiving

8 now. So you need to make some effort to pay your

9 current.

10 MR. DONALD KANNENBERG: I'll pay them a dollar

11 a month, that's an effort. That's some type of

12 payment until this is reached.

13 JUDGE HAYNES: Your -- I doubt that will

14 satisfy --

15 MR. DONALD KANNENBERG: What was that, sir?

16 MR. GOLDSTEIN: It's ridiculous.

17 MR. DONALD KANNENBERG: Didn't she just tell

18 you to be quiet?

19 MR. GOLDSTEIN: No one in America gets electric

20 service for \$1 a month.

21 MR. DONALD KANNENBERG: Didn't she just tell

22 you to be quiet?

1 JUDGE HAYNES: Mr. Goldstein, Mr. Kannenberg,
2 your last bill, Mr. Kannenberg was an actual read,
3 according to the Company, because our rules require
4 that while you have a complaint here, the period in
5 dispute you don't have to pay the bills; however,
6 you've had an actual read now on May 18th. So --

7 MR. DONALD KANNENBERG: May I show you the --

8 JUDGE HAYNES: You may show me --

9 MR. DONALD KANNENBERG: -- the bill that I got?

10 JUDGE HAYNES: You may show me the bill.

11 MR. DONALD KANNENBERG: Which has estimate
12 plain-out whether the Company says it was actual or
13 not. According to my bill, it is an estimate amount.
14 Previous estimate amount that's not -- that's
15 basically from --

16 JUDGE HAYNES: Okay. Mr. Kannenberg, your
17 previous reading was an estimate. Your present
18 reading is an actual. Here's the word "actual."
19 So...

20 MR. DONALD KANNENBERG: What's an actual bill
21 then if I have an estimate to previous?

22 JUDGE HAYNES: Your total current charges on

1 this bill is 67.92.

2 MR. DONALD KANNENBERG: Because my complaint
3 is --

4 JUDGE HAYNES: From previous to that?

5 MR. DONALD KANNENBERG: Yeah, from previous,
6 which is an estimate. So that's basically throwing
7 the 67.92 out of whack. If I had an actual to an
8 actual, that would be an actual bill.

9 JUDGE HAYNES: It's a cumulative thing, and so
10 you -- on this date, that was the total you had used
11 up to that point.

12 MR. DONALD KANNENBERG: From what period? From
13 an estimate?

14 JUDGE HAYNES: Even if, on the day they read it
15 in April that wasn't correct, by the time you reached
16 May, it was still the total that you had used through
17 April and May.

18 MR. DONALD KANNENBERG: My complaint is if they
19 read it inaccurate, how can they go from an
20 inaccurate to an accurate?

21 JUDGE HAYNES: Because you have an accurate
22 here and an accurate here in March and in May. So,

1 you know, I'll make up numbers here, March, let's say
2 it was 100 and then they guessed in April that it was
3 200 and then the actual in May comes up at 300, it
4 doesn't matter if in April your bill was really 190
5 or should have been 190 or let's say 210 because in
6 May we know that 300 is accurate because it just
7 keeps adding.

8 MR. DONALD KANNENBERG: All right.

9 JUDGE HAYNES: So all I'm saying at this point
10 is that you need to pay your current charges, which
11 is the 67-something. I can't read it.

12 MR. DONALD KANNENBERG: Okay. I can deal with
13 that. My next problem -- my next problem is as far
14 as the ComEd \$40 space heat credit, where is it in
15 January, February, March and April?

16 JUDGE HAYNES: I'm not --

17 MR. DONALD KANNENBERG: And, Miss Moreno, I
18 asked her briefly about it and she does not know how
19 it operates and she is part of the Company.

20 JUDGE HAYNES: Is Mr. Kannenberg on a space
21 heat rate?

22 MS. MORENO: Yes, he is and there were three

1 credits applied to his account in March, in
2 October -- I mean in April and in May.

3 MR. DONALD KANNENBERG: Because I have a
4 November, no; a December, no; a January, no; a
5 February, no. So that, too, which -- you know, and
6 this came from the representative that came out and
7 did the meter test that if it's 100 percent electric,
8 which the unit is, and it also states on the bill
9 that there is, you know, credits for all electric
10 units. I don't see any credits, you know, from
11 November, December, January, February.

12 JUDGE HAYNES: Okay. This isn't something that
13 you've included on your complaint.

14 MR. DONALD KANNENBERG: Which I actually,
15 believe it or not, did not know until the guy came
16 out from ComEd to do the foreign load test.

17 JUDGE HAYNES: And -- okay. Well, this -- is
18 this something that ComEd could explain at the
19 hearing?

20 MS. MORENO: Of course.

21 MR. GOLDSTEIN: I assume so.

22 JUDGE HAYNES: Okay. Have parties then

1 exchanged all of the information you have?

2 MS. MORENO: Yes, we have.

3 MR. DONALD KANNENBERG: Now, the letter you

4 mailed out, is that the same thing that we have here?

5 MS. MORENO: Well, you'll get it in the mail.

6 Here's a copy of it.

7 MR. GOLDSTEIN: It has the meter -- it has the

8 account history.

9 MS. MORENO: Yeah, well, he will get it. I

10 just gave it to him.

11 MR. DONALD KANNENBERG: And according to my

12 latest bill, I'd like to bring up a point. My

13 balance is 931.37, according to the May 18th bill,

14 how did they get on May 23rd of 959.23?

15 JUDGE HAYNES: You know, I think that's

16 something that if -- we can figure out at the hearing

17 what your proper balance should be. So I think --

18 MS. MORENO: Let's get a date.

19 JUDGE HAYNES: -- I think at this point we

20 could just pick a date and when would parties be

21 prepared to go ahead with this? And, Mr. Kannenberg,

22 at that time, we'll pick a date now where if you have

1 any witnesses or any paperwork, you'd have to bring
2 everything with you that day and you'll get an
3 opportunity to explain all of your evidence and the
4 Company will have the opportunity to ask you
5 questions, cross-examine you, and then the Company
6 will put on witnesses and you'll be able to ask the
7 Company witnesses questions.

8 And after that hearing, I will issue a
9 proposed order that you and the Company will have an
10 opportunity to respond to and after that, then a
11 final order is presented to the Commissioners and
12 they are the ones that enter the final order. And at
13 that point, that would be the decision from the
14 Commission and that could be quite a few months away,
15 but -- and from this point on, your -- you do need to
16 stay accurate on the bills -- I'm sorry -- stay --
17 make payments on your current bills.

18 MR. DONALD KANNENBERG: I'll make some type of
19 payment; but, you know, I'm not guaranteeing the full
20 amount because, you know, as of the previous
21 conversation before.

22 MR. GOLDSTEIN: Well, Judge, I can guarantee

1 Mr. Kannenberg that if he does not make the full
2 payments, he will be terminated.

3 MR. DONALD KANNENBERG: Well, then we'll have
4 another issue in court then.

5 JUDGE HAYNES: Our rules only --

6 MR. GOLDSTEIN: That's fine with me.

7 JUDGE HAYNES: -- pertain to the period at
8 issue and from here forward, it's not at issue,
9 it's -- so you need to stay current on your bills.
10 So let's --

11 MR. DONALD KANNENBERG: To me, it's still an
12 issue due to the price difference.

13 JUDGE HAYNES: The price difference from?

14 MR. DONALD KANNENBERG: According to the bill,
15 according to the letter she just handed me, there's a
16 price difference as well. So in reality, what is the
17 true amount?

18 JUDGE HAYNES: The current bill needs to be
19 paid or as Mr. Goldstein has stated, the Company can
20 terminate you -- terminate your service, according to
21 the Commission's rules.

22 MR. DONALD KANNENBERG: So according to the 67,

1 the prior amount is still in question; is that
2 correct?

3 JUDGE HAYNES: Right.

4 MR. DONALD KANNENBERG: So as long as I keep
5 current on previous bills, that past due amount
6 cannot be touched and/or threatened with the
7 electric; is that correct?

8 JUDGE HAYNES: Until the Commission issues its
9 final decision.

10 MR. DONALD KANNENBERG: Okay.

11 JUDGE HAYNES: Okay. So now that we've got
12 that cleared up, when do we want to have our hearing?

13 MR. DONALD KANNENBERG: As long as it's not a
14 Tuesday or a Friday because those are the days I have
15 to work.

16 JUDGE HAYNES: June 16th?

17 MR. GOLDSTEIN: June 16th is fine with me.

18 JUDGE HAYNES: June 16th, Wednesday?

19 MR. DONALD KANNENBERG: Yeah, that's fine.

20 JUDGE HAYNES: At 10:00 a.m., is that okay for
21 people to get down here by 10:00 a.m.?

22 MR. GOLDSTEIN: I'd prefer 11:00 on that day,

1 Judge.

2 JUDGE HAYNES: 11:00?

3 MR. DONALD KANNENBERG: I'd say 10:00. The

4 problem is is we have one vehicle and my wife has to

5 drop my daughter off at school and drop me off, so

6 I'm trying to time it --

7 MR. GOLDSTEIN: That's fine, 10:00 o'clock is

8 fine.

9 JUDGE HAYNES: 10:00 o'clock, June 16th and

10 we'll have the evidentiary hearing on that day.

11 (Whereupon, the hearing in the

12 above-entitled matter was.

13 continued until June 16, 2010, at

14 10:00 a.m. for hearing.)

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